

# **TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**

## **August 21, 2006**

PRESENT: Tom Cowan, Chairman  
Terry Janicz  
John Olaf  
Rick Meahl  
Don Hoefler  
John Potera  
Andy Kelkenberg  
Christine Falkowski, Recording Clerk  
John Good, Code Enforcement Officer  
Rebecca Baker, Zoning Officer

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

### **Pre-Application – Major Subdivision**

#### **Barnum Road – John Smith**

Mr. Smith appeared. He provided a preliminary site plan showing 11 lots and a three-acre pond. He also submitted a concept showing seven lots, stating that it would not be cost effective to do less than seven lots. He prefers an open development concept with a private driveway vs. a road, which is not permitted at this time. A few lots are undersized whereas our Code requires 45,000 sq. ft. Open development would require a Homeowner's Association contract. The pond would require a setback variance. Mr. Smith will apply to the Zoning Board for a variance for the lack of road frontage and pond setback. If approved, he will then return to the Planning Board for site plan review and recommendation to the Town Board. Thirdly, the Town Board would hold a public hearing and grant final site plan approval. The next Zoning Board meeting is September 28<sup>th</sup>.

### **Pre-Application – Change in Use**

#### **13536 Main Road – Country Cottage Motel – Tom Northem**

Mr. Northem appeared. He is requesting a change in use for this 10-room motel into seven apartments. He wants to change property class #415=motel to #411=multi-housing for mortgage funding purposes. Mr. Northem believes that Mr. Folger had given him a Certificate of Occupancy in the past for multiple dwelling, and that he should be grandfathered; though we have no record of that on file. The building size is 3,168 sq. ft. and divided by seven units is 452 sq. ft. each. Our Code requires each unit to be 700 sq. ft; thereby allowing him only 4.52 units. John Good stated that Mr. Northem cannot remove exterior doors without interior plans, and he would like to see a current and a proposed floor plan. Mr. Northem was advised to apply to the Zoning Board for a variance for the undersized units. Their next meeting is September 28<sup>th</sup> with an application deadline of September 15<sup>th</sup>. If approved, he must return to the Planning Board for change-in-use approval and compliance to the Route 5 Overlay Zone to include lighting, parking, signage, greenspace, etc. The Overlay Zone design criteria checklist was given to him.

### **Pre-Application – Site Plan**

#### **Main & Crittenden Roads – Buck's Motorsports**

Jan Schaefer appeared. His current business is located on Royalton Center Road in Royalton. He has a purchase offer pending for the 3.7-acre parcel on the northwest corner of Main & Crittenden. He would like to relocate his business there in order to gain more visibility. The house would be used for income property now and possibly knocked down in five years leaving room for expansion. He sells snowmobiles, ATV's, lawn and farm equipment, and plans to add a motorcycle line. Mr. Schaefer's concept sketch indicates a 15,000+ sq. ft. building with separate showrooms for recreational and lawn/garden equipment with offices, a parts area and a repair shop in the rear. Outdoor display would be for new equipment only. Storage would be at his Royalton location and transported as needed. The rezoning of Route 5 calls for RC up to this parcel, and this parcel as C2. The house cannot remain in C2. Therefore, it was suggested that he comply with the zoning by splitting the house from the parcel (minor subdivision fee would be waived), and the RC boundary would then be moved to include the house. If Mr. Schaefer purchases this property, he would need to make site plan application and return to the Planning Board. Compliance with the Overlay Zone would be required (Christine gave a copy to him). A special use permit would also be required and would mandate certain conditions such as number of outdoor display units, etc. Rick suggested Mr. Schaefer prepare site plan showing all phases of his plan, including future house demolition. This would eliminate need for additional site plan approvals.

**Minutes Review**

John Potera motioned to approve the minutes of August 7, 2006, seconded by John Olaf:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
John Potera	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye

**Sign Regulations**

The notice to commercial and industrial zoned property owners clarifying policies on permanent and temporary signs including Route 5 Overlay Zone sign criteria was mailed August 16<sup>th</sup>. Tom shared a document from NYS Department of State that suggests temporary signs require a cash deposit to insure removal upon expiration of the permit period.

**Home-Based Business in RA Zone**

The request to the Town Board for advisement on this issue will be re-sent.

**Open Development/Flaglots**

- Tom will re-review the recommendations sent to the Town Board in October 2004 and re-addressed in June 2005 for possible re-writing.
- Christine distributed Nathan’s comments dated August 21<sup>st</sup> to the Sample Common Maintenance Agreement.

**Route 5 Rezoning**

The Planning Board will hold a special meeting on Monday, August 28<sup>th</sup> at 7:30PM. Please bring latest map and six-page color-coded document from Tom George.

John P. made a motion to adjourn the meeting at 9:40PM, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski  
Recording Clerk